



STATE OF MAINE  
DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY  
BOARD OF PESTICIDES CONTROL  
28 STATE HOUSE STATION  
AUGUSTA, MAINE 04333

JANET T. MILLS  
GOVERNOR

AMANDA E. BEAL  
COMMISSIONER

March 24, 2022

Andrew Powers  
Vegetation Control Service, Inc  
3242 Maine St  
Athol, MA 01331

**RE: Variance permit for CMR 01-026 Chapter 29, Fort Williams Park**

Dear Mr. Powers,

The Board of Pesticides Control considered your application for a variance from Chapter 29. The variance is approved, with the condition that Escort XP (EPA #432-1549) and Capstone (EPA #62719-572), not be applied within 25 feet of water. Due to their high leachability eliminating the use of these active ingredients—aminopyralid and metsulfuron-methyl—within 25 feet of water greatly reduces the potential for negative effects on the aquatic communities. Aminopyralid also has moderate toxicity to crustaceans, and metsulfuron-methyl is considered moderately toxic to aquatic organisms, both a concern for this marine location. Those active ingredients are appropriate farther inland.

Cut stump applications rather than foliar applications are preferable and using only non-powered low-pressure applications within 25 feet of water is required by law. Both of these approaches to applications are reasonable steps to reducing the potential for off-target movement.

The map and photos provided demonstrate the presence of several athletic fields adjacent to the proposed treatment areas. A new regulation in Maine prohibits the application of glyphosate and dicamba within 75 feet of school grounds. Due to the definition of “school grounds,” the company to which this variance is issued needs to verify that no school organizations regularly use those fields for school activities before proceeding with applications of prohibited active ingredients. It is beyond the scope of this review to know the status of said athletic facilities.

The Board authorizes the issuance of three-year variances for Chapter 29; therefore, this variance is valid until December 31, 2023, as long as applications are consistent with the information provided on the variance request. Please notify the Board in advance of changes, particularly if you plan to use a different product from those listed.

Please remember that your variance is based upon your company adhering to the precautions listed in Section X of your Chapter 29 variance request.

MEGAN PATTERSON, DIRECTOR  
90 BLOSSOM LANE, DEERING BUILDING



PHONE: (207) 287-2731  
THINKFIRSTSPRAYLAST.ORG

At its April 1, 2022 meeting, I will alert the board that the variance permit has been issued. If you have any questions concerning this matter, please contact me at 287-2731.

Sincerely,

A handwritten signature in cursive script that reads "Megan L. Patterson". The signature is written in black ink and is positioned above the typed name.

Megan Patterson, Director